

Rec'd PCT/PTO 30 MAY 2001

IN THE UNITED STATES PATENT DESIGNATED OFFICE (DO/US)
(National Phase of International App.: PCT/JP99/03242)

#5
with
fee

In re the Application of: **Seishi Kato and Tomoko Kimura**

International Application No.: **PCT/JP99/03242**

International Filing Date: **18 June 1999**

U.S. Serial No.: **09/720,534**

Filed: **December 19, 2000**

For: **HUMAN PROTEINS HAVING
HYDROPHOBIC DOMAINS AND DNAs
ENCODING THESE PROTEINS**

Attorney Docket No.: **GIN-6717CPUS**

Commissioner for Patents
Box PCT
Washington, D.C. 20231

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER
35 U.S.C. §371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE**

Dear Sir:

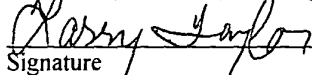
Responsive to the *Notification of Missing Requirements Under 35 U.S.C. §371* dated March 30, 2001, Applicants' attorney submits herewith the executed Declaration, Petition and Power of Attorney for Patent Application for the above-identified patent application. A copy of Form PCT/DO/EO/905 is also enclosed. A check in the amount of \$130.00, based on large entity status, is enclosed to cover the surcharge under 37 C.F.R. §1.492(e).

Please charge any underpayments or credit any overpayments associated with this communication to our Deposit Account No. 12-0080. *For this purpose, a duplicate of this letter is enclosed.*

"Express Mail" mailing label number: EL 848 028 985 US

Date of Deposit: May 30, 2001

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner for Patents, Box PCT, Washington, D.C. 20231.

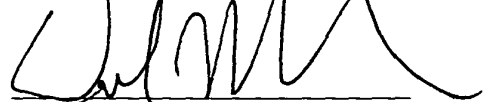

Signature

Larry Taylor

Please Print Name of Person Signing

Respectfully submitted,

LAHIVE & COCKFIELD, LLP



Debra J. Milasincic, Esq.

Reg. No. 46,931

Attorney for Applicants

LAHIVE
&
COCKFIELD
L L P

COUNSELLORS AT LAW
28 STATE STREET
BOSTON, MASSACHUSETTS 02109-1784
TELEPHONE (617) 227-7400
FAX (617) 742-4214
lc@lahcoc.com

JOHN A. LAHIVE, JR. (1928-1997)
THOMAS V. SMURZYNSKI
RALPH A. LOREN
GIULIO A. DeCONTI, JR.
ANN LAMPORT HAMMITTE
ELIZABETH A. HANLEY
AMY BAKER MANDRAGOURAS
ANTHONY A. LAURETANO
KEVIN J. CANNING
JANE E. REMILLARD
DeANN FORAN SMITH
PETER C. LAURO
JEANNE M. DIGIORGIO
DEBRA J. MILASINCIC, Ph.D.
NICHOLAS P. TRIANO, III
DAVID J. RIKKERS
DAVID R. BURNS

JC18 Rec'd PCT/PTO 30 MAY 2001

JOHN S. CURRAN
SEAN D. DETWEILER
CYNTHIA L. KANIK, Ph.D.
MEGAN E. WILLIAMS, Ph.D.
RICHA NAND
MICHAEL PHILLIPPS *

SENIOR COUNSEL
JAMES E. COCKFIELD

OF COUNSEL
JEREMIAH LYNCH
WILLIAM A. SCOFIELD, JR.

PATENT AGENTS
PETER S. STECHER

TECHNICAL SPECIALISTS
MARIA LACCOTRIPE ZACHARAKIS, Ph.D.**
CYNTHIA M. SOROOS
PETER W. DINI, Ph.D.
EUIHOON LEE
LISA M. DIROCCO
JENNIFER K. ROSENFELD
JUDITH STONE-HULSLANDER, Ph.D.
ALLAN TAMESHTIT, Ph.D.
CATHERINE E. McPHERSON
ERIC F. WAGNER, Ph.D.
SHAHID HASAN, Ph.D.
ASHITA DOSHI, Ph.D.
JACOB G. WEINTRAUB

* Admitted in NY only
** Passed the Patent Bar Examination

May 30, 2001

Commissioner for Patents
Box PCT
Washington, D.C. 20231

Re: U.S. Patent Application Serial No.: 09/720,534
Based on PCT/JP99/03242
Title: *Human Proteins Having Hydrophobic Domains and DNAs
Encoding These Proteins*
Filed: December 19, 2000
Inventors: Seishi Kato and Tomoko Kimura
Attorney Docket No.: GIN-6717CPUS

Dear Sir:

I enclose herewith for filing in the above-identified application the following:

1. Copy of Notification of Missing Requirements Under 35 U.S.C. §371 in the United States Designated/Elected Office (DO/EO/US) (Form PCT/DO/EO/905);
2. Response to Notification of Missing Requirements Under 35 U.S.C. §371 in the United States Designated/Elected Office (*in duplicate*);
3. Executed Declaration, Petition and Power of Attorney for Patent Application (*4 pages*);
4. Check in the amount of \$130.00 (surcharge pursuant to 37 C.F.R. §1.492(e));
5. Diskette containing Sequence Listing; and

06/05/2001 MNGUYEN 00000163-09720534 Return postcard.

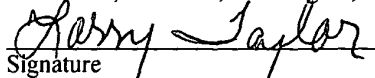
01 FC:154

Please charge any necessary fees or credit any overpayments to our Deposit Account No. 12-0080.
For this purpose, a duplicate of this sheet is enclosed.

"Express Mail" mailing label number: EL 848 028 985 US

Date of Deposit: May 30, 2001

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner for Patents, Box PCT, Washington, D.C. 20231.

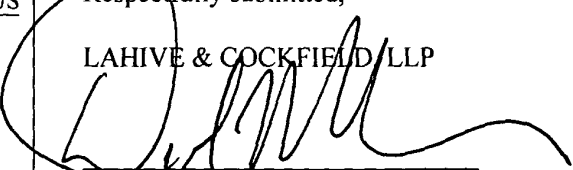

Signature

Larry Taylor

Please Print Name of Person Signing

Respectfully submitted,

LAHIVE & COCKFIELD LLP


Debra J. Milasincic, Esq.

Reg. No. 46,931

Attorney for Applicants



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box 401
United States Patent and Trademark Office
Washington, D.C. 20231
www.uspto.gov

U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. REF. NO.
09/720534	KATO S	GIN-6717CPUS
INTERNATIONAL APPLICATION NO.		
PCT/JP99/03242		
I.A. FILING DATE		PRIORITY DATE
18 JUN 99		26 JUN 98

AMY E MANDRAGOURAS
LAHIVE & COCKFIELD
28 STATE STREET
BOSTON, MA 02109

DOCKETED
May 30, 2001 - Miss. Reg. Oath or Declaration
Oct 30, 2001 - E.S. P.W/S Mex.

DATE MAILED: **30 MAR 2001****NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as:
- ☐ a Designated Office (37 CFR 1.494) ☒ an Elected Office (37 CFR 1.495):
- ☒ U.S. Basic National Fee. ☐ Indication of Small Entity Status.
- ☒ Copy of the international application. ☒ Translation of the international application into English.
- ☐ Oath or Declaration of inventors(s). ☐ Translation of Article 19 amendments into English.
- ☐ Copy of Article 19 amendments. ☐ Other:
- ☒ Priority Document.
- ☒ The International Preliminary Examination Report in English and its Annexes, if any.
- ☐ Translation of Annexes to the International Preliminary Examination Report into English.
2. ☐ Applicant has requested early processing under 35 U.S.C. 371(f) but has not filed the following indicated items and/or the indicated items in paragraph 3 below. The Basic National Fee and the copy of the international application must be filed prior to 20 or 30 months from the priority date to avoid abandonment.
- ☐ U.S. Basic National Fee. ☐ Copy of the international application.
3. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:
- ☐ a. Translation of the application into English. A processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
- ☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
- ☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
- ☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), properly identifying the application (preferably by the International application number and international filing date). A surcharge will be required if submitted later than the appropriate 20 or 30 months from the priority date.
- ☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
- ☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).
4. Additional claim fees of \$_____ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.
5. ☒ Applicant has not submitted the required sequence listing pursuant to 37 CFR 1.821-1.825. See attached PCT/DO/EO/920.

ALL OF THE ITEMS SET FORTH IN 3(a)-3(d), 4 AND 5 ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 22 OR 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

6. If box 3a or 3c is checked, a translation of the Annexes **MUST** be submitted no later than the time period set above or the Annexes will be cancelled. A processing fee will be required if submitted later than 20 or 30 months from the priority date.
7. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

A copy of this notice MUST be returned with this response.

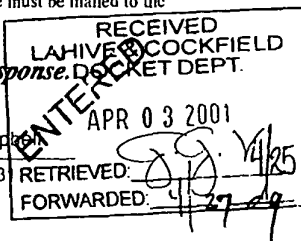
Enclosed: ☐ PCT/DO/EO/917
☐ PTO-875

☐ Notice of Defective Translation
☒ PCT/DO/EO/920

Barbara A. Campbell

FORM PCT/DO/EO/905 (March 2001)

Telephone: 703-305-3631





UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT
United States Patent and Trademark Office
Washington, D.C. 20231
www.uspto.gov

U.S. APPLICATION NO.	FIRST NAMED APPLICANT	APPLY IN PAPER OR ELECTRONIC FORM
09/720534	KATO	S
		GIN-6717CPUS
		INTERNATIONAL APPLICATION NO.
		PCT/JP99/03242
		LA. FILING DATE
		18 JUN 99
		PRIORITY DATE
		26 JUN 98

AMY E MANDRAGOURAS
LAHIVE & COCKFIELD
28 STATE STREET
BOSTON, MA 02109

DATE MAILED: 30 MAR 2001

**NOTIFICATION TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS
CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE
DISCLOSURES**

Applicant has submitted papers under 35 U.S.C. 371 to enter the national stage in the United States of America. The items indicated below, however, are missing. The period within which to correct the deficiency noted below and avoid abandonment is set forth in the accompanying Notification.

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):

- ☒ The application fails to comply with the requirements of 37 CFR 1.821-1.825.
- ☐ This application does not contain, a "Sequence Listing" as a separate part of the disclosure on paper copy or compact disc, as required by 37 CFR 1.821(c).
- ☐ A copy of the "Sequence Listing" in computer readable format has not been submitted as required by 37 CFR 1.821(e).
- ☐ A copy of the "Sequence Listing" in computer readable form has been submitted. The content of the computer readable form, however, does not comply with the requirements of 37 CFR 1.822 and/or 1.832, as indicated on the attached marked-up copy of the "Raw Sequence Listing."
- ☒ The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable form must be submitted as required by 37 CFR 1.825(d).
- ☐ The paper copy or compact disc of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 CFR 1.821(e).
- ☐ Other: _____

APPLICANT MUST PROVIDE:

- ☒ An initial or substitute computer readable form (CRF) of the "Sequence Listing."
- ☐ An initial or substitute paper copy or compact disc of the "Sequence Listing," as well as an amendment directing its entry into the specification.
- ☐ A statement that the contents of the paper or compact disc and the computer readable form are the same and, where applicable, include no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b) or 1.825(d).

**FOR QUESTIONS REGARDING COMPLIANCE WITH THESE REQUIREMENTS, PLEASE
CALL:**

(703) 308-4216, for Rules interpretation,
(703) 308-4212, for CRF submission help,
(703) 287-0200, for PatentIn software help.

Barbara A. Campbell
Telephone: 703-305-3631